



SAREA ROADS AUTHORITIES & UTILITIES COMMITTEE

Minutes of the QUARTERLY MEETING

Date: 2nd February 2023

Meeting held on MS TEAMS

Present:

Mike Grunwell (Chair)	M.G.	Dumfries and Galloway Council
Sarah Abbot	S.A.	Netomnia
Caroline Auld	C.A.	Network Rail
Jamie Barr	J.B.	East Renfrewshire Council
Neil Brannock	N.B.	Autolink M6
Sharon Burns	S.B.	GoFibre
Douglas Campbell	D.C.	SPEN
Katie Campbell	K.C.	North Ayrshire Council
David Carter	D.Ca.	South Lanarkshire Council
Michael Casey	M.C.	Royal Mail
Martin Cochrane	M.C.	Amey / SRP / M8DBFO
Gavin Cook	G.C.	East Renfrew Council
Matthew Crossan	M.C.	Dumfries and Galloway Council
Ian Dalrymple	I.D.	Openreach
Karyn Davidson	K.D.	Vodafone
Rebecca Eiggs	R.E.	SSE
Jim Forbes	J.F.	CityFibre
Philippa Gilhooly	P.G.	Scottish Borders Council or Amey S.W.
Julie Greig	J.G.	SGN
Jason Halliday	J.H.	o.S.R.W.C.
Barry Hall	B.H.	GTC-UK
David Hearty	D.H.	MBNL-EE/3
Lindsay Henderson	L.H.	o.S.R.W.C.
Rob James	R.J.	Network Rail
Anna Jensen	A.J.	Netomnia
Glen Jones	G.J.	Hyperoptic
Matthew Jones	M.J.	Last Mile
Shaylyn Lanman	S.L.	ESPUG
Carole McDonald	C.McD.	CityFibre
Stewart Mackenzie	S.Mack.	Balfour Beatty
Fiona McInnes	F.McI.	Scottish Water

Present (continued):

Craig McQueen	C.McQ.	Scottish Water
Emma McLean	E.McL	Axione
Andrew Matheson	A.M.	Virgin Media
Chris Murray	C.M.	Sky
Nigel Nichols	N.N.	ESPUG
Valerie Park	V.P.	South Lanarkshire Council
Sandy Phillips	S.P.	Amey S.W.
Kat Quane	K.Q.	Transport Scotland
Shannon Riley	S.R.	BEAR Scotland
Graeme Robin	G.R.	North Ayrshire Council
David Ross	D.R.	BEAR Scotland
Wendy Ross	W.R.	Amey
Stephen Scanlon	S.S	Openreach
David Shaw	D.Sh.	Ayrshire Roads Alliance
David Thomson	D.T.	SPEN

In Attendance: -

George Borthwick	G.B.	Secretary to SW Area RAUC
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Apologies:

David Fleming	D.F.	Turntown
Tanya Fraser	T.F.	Ineos
Kevin Hamilton	K.H.	Scottish Roadworks Commissioner
Owen Harte	O.H.	Virgin Media
John Henderson	J.H.	Scottish Borders Council
Jock Laidlaw	J.L.	Autolink M6
Lynne Lyle	L.L.	Ayrshire Roads Alliance
Paul Lynch	P.L.	Amey S.W.
John McCulloch	J.McC.	Balfour Beatty M77 DBFO
Brian Wilson	B.W.	Scottish Borders Council

1. Welcome, Attendance and Apologies

Michael Grunwell welcomed all to the SAREA RAUC Meeting. This meeting was being held on MS TEAMS.

Apologies were recorded as listed above.

2. Approval of the Minutes of the Meeting Held on 13th October 2022

a. Accuracy

The minutes of the SAREA RAUC Meeting held on 13th October 2022 on MS TEAMS were approved as read.

b. Action Tracking Summary

Comments are recorded on the Action Tracking Summary.

3. Written Reports from Local Co-Ordination Meetings / Clusters

Reports to the Committee were recorded as follows: -

Ayrshires and East Renfrewshire Local RAUC – David Shaw

From the next meeting Lynne Lyle will be taking over the Chair of LRAUC.

F.McI. had issued the standard performance templates and had updated them prior to passing them to I.R. for discussions with Symology.

J.G. is dealing with this matter for the East Area and development is moving forward. F.McI. will send copies of the proposed templates to J.G. / D.S. and M.G. A meeting will be held to discuss any issues which may arise to ensure that all requirements are included. Action – J.G. / F.McI / Eleni Gigourtaki

All Local meetings should be using the same templates.

South Lanarkshire Local RAUC – David Carter

V.P. has spoken to F.McI. about the report templates.

The Representatives attending the meeting should be able to deal with issues raised or at least arrange for an early response from the relevant colleague. They should have a reasonable knowledge of the work of their organisation in the area. D.C. asked all to review their Representation to the meetings. Action – S.Us

F,McI. will discuss attendance at Dumgal meetings offline with M.G. Action – **F.McI. / M.G.**

J.G. asked all for an indication of any problems with SGN Representation at meetings as she is currently reviewing their schedule.

J.F. indicated that if there are any problems they should be passed to him but Billy MacKay is the current Representative.

M.G. commented that Agents could represent the S.U. they are working with.

East / Mid Lothian and Scottish Borders Local RAUC

There were no issues to be discussed.

Dumfries and Galloway Local RAUC – Michael Grunwell

Temporary signing and speed limits had been discussed but there were no issues to be remitted to this meeting

4. Matters Arising from RAUC(S) Meeting 2^{6th} October 2022

The previously circulated draft Minute was taken as read.

The progress on the SROR Review was discussed and the RAUC(S) agreed that the draft would be circulated for comment which were to be submitted by the beginning of December. This would allow the responses to be reviewed and the progress to be maintained towards approval of a final version at the February RAUC(S) meeting.

The Coordination Working group and the Inspections Working Group were asked to develop Advice Notes / Changes to Codes to accommodate the changes in the Legislation which was being introduced.

Reports from the Working Groups will be heard later in this meeting.

RAUC(S) Recruitment Schedule

D.C. has agreed to join the SAT.

5. Government and S.R.W.C. Reports

a. Scottish Government Report

The circulated papers were taken as read with the following comments from K.Q.: -

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ai. Batch Diagram

Progress is being made on the introduction of the various sections of Transport (Scotland) 2019 Legislation and the batch diagram had been updated to reflect the changes being introduced from 1st April 2023.

K.Q. summarised the changes as follows: -

R.As to have Qualified Operatives – 1st April 2023

Reinstatement Quality Plans required – 1st April 2023

Actual starts / works closed 2hr registration – 1st April 2023

Guarantee Period increase to 6 years - To be published in SROR 2022 coming into force on 01 Oct 2023

Policy development work will now begin on Compliance Officers and Enforcement

Transport Scotland (Scottish Government) Report to RAUCs

aii. Transport Scotland (Scottish Government) Report

K.Q. reported as follows: -

Trees: -

A joint agency initiative on work involving trees and tree roots, in England only, has been circulated at SEHAUC. To share best practice and seek broader interest in the study, a short synopsis of the work is as follows: -

JS Flood Risk Consulting Ltd have been commissioned to undertake a research study into understanding and overcoming the conflicts between trees and utilities to enable more urban trees to be planted and maintained. The study is part of the DEFRA, Natural England and Tree Council-led Trees Outside Woodlands project. It is looking at where policy and practice should be focused to enable incorporation of new large-scale sustainable urban tree planting when opportunities arise, such as during utility plant installation or renewal.

The study will provide the evidence and rationale to demonstrate where the greatest opportunities exist which will guide decisions on where interventions and investment would most effectively be targeted.

Anyone with views on works around trees, or who can provide useful arboreal guidance should get in contact with Project Lead Pete Stevens (pete@ajsffloodrisk.co.uk). This may also be of interest to the SROR working group.

The Mini Consultation

The mini consultation on the specific matter of numbers and activities of qualified operatives and supervisors was completed and has been reviewed. It has become evident that improvements needed to the current system are in practical application. On that basis it is unlikely that further related legislation will provide much benefit, but the PDG and oSRWC will continue to investigate non-legislative improvements.

Training - Awarding Organisation Status

A new Training Provider has asked to be given Awarding Organisation Status . The preliminary checking process has now begun, after which the Ministerial view on next steps will be sought. There are currently four Awarding Organisations for Scotland. TAG input will be requested.

Safety at Street Works and Road Works a Code of Practice

HAUC UK have indicated that they plan to start the review of the Safety at Street Works and Road Works a Code of Practice in 2023. This is not the formal DfT led review which is yet to start but will be a practical preliminary exercise by industry experts. All Members of the Community are asked to review the Red Book and pass any comments / suggestions to the Scottish Working Group Representatives to ensure that the requirements for Scotland are discussed.

RAUC(S) are asked to review membership of the RAUC(S) Representatives to the HAUC UK Safety Group to ensure Scottish representation on the Working Group. **Action – F.McI. / RAUC(S)**

b. Performance Dashboard

The Committee received the report as follows: -

The SRWR 2022/23 Q3 dashboard which was issued on 18 January 2023 was taken as read.

Commissioner Improvement Plans

Currently Axione, CityFibre and SGN are on formal Commissioner plans with all continuing to improve.

Fulcrum Pipelines were removed in January 23

The next Improvement plan submissions are due on the 14 April 23.

All these Organisations are commended for their engagement with the office during the formal process.

Roads Authority – Late Inspections (R32)

Analysis carried out by the office, identified a small number of R.As are recording high numbers within this report. Those affected have been contacted and progress is being delivered by all.

All Organisations should be aware that non-compliant performance must be investigated, and contact made with the Commissioner via the enquiries@roadworks.scot e-mail address.

Start/Stop Notices within 2 hours

All were reminded that the legislation is changing from 1st April 23 to require a Start/Stop notice to be registered within 2 hours of works starting/completing.

Functionality has been added to the SRWR in advance of this date to allow the recording of the time when creating Actual Start, Works Clear and Works Closed notices.

There is no requirement to record these notices prior to the 1 April but, the Commissioner strongly recommends you do so, as part of the “soft launch” This will give your Organisation time to resolve any problems / issues this prior to it being a legal requirement.

The Commissioner would also like to remind Organisations that the SRWR Works Promoter App is the recommended method of recording these notices. Uptake of the app remains low, with less than 1% of applicable notices updated using this option.

The Commissioner will be closely monitoring compliance following the requirement coming into force on 1 April 2023.

The Co-ordination Code Working Group is drafting an advice note to supplement the current code to describe the timing of these notices in more detail.

Reinstatement Quality Plans

To date 36 out of 55 Organisations have submitted an RQP and 7 have had their plans approved. These will be lodged on the SRWR shortly.

Plans submitted continue to be reviewed by the office and follow-up meetings held as required.

If your organisation hasn't yet submitted a draft, it is very likely that approval can be given before the deadline which will mean that they cannot work in the road after the 1st April.

Safety/Technical Standards

Traffic Management for Pedestrians

The Commissioner commented on poor traffic management on sites which was affecting pedestrian safe passage through works. He indicated that he was currently carrying out a review which may result in him taking action as required.

Research Project – Service Life of Reinstatements.

The research project on Service Life of Reinstatements is now complete and has been submitted to the Scottish Road Research Board for approval/comment and subsequent publication on their website.

SROR Review

The group is still holding regular meetings and is progressing well. Comments from consultation on the first draft submitted to RAUCS last year have been received from the community and are being reviewed by the SROR working group. The group continues to aim for a final draft for RAUCS in February 2023.

The TAG group have not met since July. There is nothing to report.

C.McQ. asked if the Question bank would be revised to accord with the revised SROR. If there are sections which need updating they should be notified to L.H.

Safety bulletins are still being sent out as and when they arise by RAUC(S) Secretariat.

A presentation was given to Virgin Media on 19 January 2023 on performance and general safety issues. If any other organisation would like a similar presentation, please contact the Commissioner's office.

A.M. thanked the o.S.R.W.C. for their presentation.

c. Management Report

Penalty Enforcement Action

On 9 January 2023, the Commissioner issued a penalty of £10,000 to Scottish Water for systematic failure to co-operate with R.As whilst carrying out works.

Failings were identified following complaints made by a community group about a road closure in Tillicoultry in August 2022.

The investigation found that Scottish Water had failed to gain permission from the L.A. prior to closing the road to carry out works. This was in contravention of the Coordination Code which led to inconvenience to road users, including emergency services and bus operators. The investigation found that this was not an isolated occurrence.

The Commissioner asked R.As to send him details of any similar events in the future.

Notification of grass cutting and tree felling works

With the growing season soon to start, it is expected that there will be an increase in works to manage roadside vegetation. Further to this, ash dieback is on the rise, with more roadside trees affected. In many cases, the works will need traffic management, including road closures.

The Commissioner's view is that works of these types come under the R.As duties to maintain the road (as per S.1 of the Roads (Scotland) Act 1984).

M.G. commented that grass cutting in the Dumgal Area was treated as mobile works and trees affected by ash die back were generally out with the road boundary.

J.H. will speak to the Commissioner.

Action – J.H.

Accordingly, it is considered that, no matter who is carrying the maintenance, they are works for Roads Purposes. They should therefore be recorded on the SRWR as Works, not permissions, and in line with the provisions of the Coordination CoP.

Enforcement tools available to authorities

The Commissioner is concerned that R.As aren't fully using the tools available to tackle poor performance

It has been identified that the Sample Inspection pass rate in some R.As is below the 90% target.

Where S.U.s are not meeting this target, the Commissioner strongly recommends that R.As should issue a Notice of Failure to Achieve Performance as set out in Chapter 7 of the Inspections Code.

The affected R.As have been notified and asked for a response.

Comment was made that using an Improvement Notice when the failure rate was close to the failure rate was too strong a reaction and there were other actions which should be followed first. Time should be allowed for the R.A. and S.U. to discuss a problem and agree Action to be taken. Issues should be discussed at the Local Meeting first and if there is no improvement direct discussions should be arranged.

Fixed Penalty Notices – Only 20 R.As (out of 33) issued FPNs to S.U.s during Q1-Q3 2022. This means that 13 authorities have not been using this enforcement tool. 6936 Potential Noticing Offences during the period were recorded but, the number of FPNs issued was 2,134 (31%).

The Committee noted that not all Potential FPNs would end up as chargeable FPNs. The Commissioner pointed out that several R.As were not issuing any FPNs.

Contact Details

The oSRWC will undertake an exercise in February to check the Community contact details it currently holds. The Commissioner would also like to remind all Organisations they should keep the office up to date with any changes during the year.

d. SRWR Report

Jason Halliday reported as follows: -

Prescribed Fees and Amounts

The payment matrix for the Prescribed Fees and Amounts 2023/24 is being prepared. If you require an estimate, please contact the office (enquiries@roadworks.scot). An estimate will be issued on 1 March 2023, but all must note the invoice amounts can change right up to issue on 1 April 2023.

GDP Regulations - Personal Details recorded on SRWR

Reminder to all, that personal details (including someone's work email address) must not be recorded in any of the free text fields on the SRWR. Personal details (name, email, telephone etc.) should only be recorded in the contact sections of the relevant notices. For further information please see Commissioner Direction 2 – GDPR and Open Data.

Gazetteer ASD Geometry

The Commissioner reviewed the Gazetteer Associated Data (ASD) records following the November gazetteer submission deadline to determine what action is required before SDTF 4 is loaded to the register.

The Commissioner was pleased to see the progress made, and he thanks the gazetteer custodians for their work on this. There is still a lot of work to be done to ensure the street gazetteers are compliant with the conventions. When an R.A. views its Area map virtually, it is easy to identify data which has not been plotted correctly.

On 9 January 2023 to help R.As, the Commissioner sent out lists of records that potentially do not comply with the conventions. The Commissioner previously set a deadline of 24 February 2023 for issues to be resolved. All R.As should be aware that any street gazetteers

provided on that date (or in subsequent submissions) which do not comply with the conventions will be rejected.

The provision of a street gazetteer is a statutory duty under NRSWA. Repeated failure to supply compliant data could lead to a Commissioner penalty.

K.H. thanked the Custodians but asked them to note the data he had issued and push forward to complete the update. The Improvement Service had indicated that they would assist where possible.

Dial before you Dig Service

A steady decline in the use of the Dial before you Dig service has been noted. All R.As should pass on details of the service to road opening permit applicants as part of the application process. All Organisations are reminded of the requirement to respond to these requests, as laid out in RAUC(S) Advice Note 1.

Further information on the service can be found at <http://dialbeforeyoudig.scot>

Cancelling Inspections

The Commissioner has noted that some R.As are not updating inspection results where agreement has been reached that no defect exists. R.As are reminded that should they record a defect, and decide at a later date not to pursue it, the inspection result recorded on the SRWR must be cancelled.

This is a simple process (cancel is one of the actions for inspections). Assistance is available from the Symology Support Desk. Please pass this requirement to all relevant staff.

New Organisations on SRWR

Virgin Media Networks Limited, a telecoms company, have been given access to the SRWR. This organisation should not be confused with Virgin Media Group, who already have access to the Register.

SRWR User Satisfaction Survey

To help gauge the effectiveness of the SRWR in 2022 a questionnaire is being run. The link is on the Aurora News Portal. It's relatively simple and should take approximately 5 minutes to complete. The questionnaire will be open until 9 February 2023.

A wide a response is required, so please encourage colleagues who make use of the register to complete the questionnaire.

6, **Working Group Reports**

Coordination Working Group

Meetings were being held regularly and good progress was being made on the review. They noted the paper from K.Q. which indicated sections which required review.

A draft Advice Note which deals with Sections 5.3 and 5.5 in the Code will be submitted to RAUC(S) for approval and will be circulated to the Community. The A.N. will replace the existing sections of the Code until it is revised and published.

The Working Group members are happy with the draft and the Co-Chairs will provide a briefing note to comment on the content.

Inspections Working Group

The group met on 18th January when the use of risk based inspections was considered.

The group will draft a paper to be submitted to RAUC(S).

R.As will be asked to provide better comments and photographs with defect notices to give clearer more accurate descriptions of the site in question.

SROR Review Working Group

The update was covered in the items in the Commissioners Reports above.

SAT

The work of SAT is ongoing with new Change Requests being reviewed.

SRWR Steering Group

The update was covered in the items in the Commissioners Reports above.

RQP Working Group

The update was covered in the items in the Commissioners Reports above.

Gazetteer Group

The work is ongoing.

National Coring Working Group

The programme is progressing well with only a few problems to be dealt with.

There are ongoing problems in the TayForth area with coring almost completed. There appears to be further problems in Angus and in Perth and Kinross areas which need to be dealt with.

Transport Scotland still have cores to be agreed with the relevant S.U.s.

If not already passed to the Lead Authority, all Appendix Bs should be drafted and sent over as soon as possible.

The Disputes Panel will meet on 7th / 8th March and all disputes should be submitted 2 weeks in advance of that date.

7. Health and Safety

a. List of Plant Protection Systems

This is a standard Item on the Agendas giving all the opportunity to update their details in order that the schedule is up to date on the Web Site.

b. Emergency Contact Details

This is a standard Item on the Agendas giving all the opportunity to update their details in order that the schedule is up to date on the Web Site.

The R.As were asked what Police contact number they use in the event of an emergency. The number which appeared to be used is 101 but all emergencies should be passed to the Emergency Out of Hours contacts.

J.G. indicated that getting a response from 101 often takes a long time and a better system is required and that should be standard across Scotland.

The existing Schedule needs to be checked and revised if necessary then circulated across the Community so that operators etc know who to contact 24 / 7 to report an emergency.

Details of new, maybe smaller Organisations, emergency contacts are required. **Action - Secretary**

8. AOCB

a. Meeting Dates

The Meeting dates for 2023 were circulated for information.

b. Local Co-ordination Meetings (Chairs / Meeting Dates)

The previously circulated schedule was taken as read. There is only one Local Cluster to provide data and the Secretary will chase that up. **Action - Secretary**

c. UCI World Cycling Championships

A presentation had been given at the EAREA Meeting on the above event. The Committee agreed that the presentation should be on the Agenda for the meeting in June. This event will affect the network in Scotland with the races taking place and visitors accessing the routes.

J.G. advised the meeting that agreement on routes in some R.A. areas has still to be notified.

M.G. indicated that the event will affect Dumgal over 4 days and embargoes will be posted on the Register.

F.McI. asked for route information to be provided as soon as possible so that work needed on frames and covers can be carried out.

Action – R.As

9. Date and Venue of the Next Meeting

M.G. thanked all for their attendance at the meeting.

Next Meeting: – Thursday 1st June 2023

Venue: - MS TEAMS

Future Meeting Dates – Thursday 28th September 2023

Meeting ended – 12.15

DRAFT